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HOUSE BILL 2723

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State of Washington

61st Legislature

2010 Regular Session

By Representatives Hope, Dunshee, Hurst, Pearson, Haler, Taylor, O'Brien, Ross, Roach, Simpson, Kelley, Campbell, Kristiansen, Kessler, and Warnick

Read first time 01/12/10. Referred to Committee on Public Safety & Emergency Preparedness.

1 AN ACT Relating to first degree assault of a child; and amending  
2 RCW 9A.36.120.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9A.36.120 and 1992 c 145 s 1 are each amended to read  
5 as follows:

6 (1) A person eighteen years of age or older is guilty of the crime  
7 of assault of a child in the first degree if the child is under the age  
8 of thirteen and the person:

9 (a) Commits the crime of assault in the first degree, as defined in  
10 RCW 9A.36.011, against the child; or

11 (b) Intentionally assaults the child and either:

12 (i) (~~Recklessly~~) Negligently inflicts great bodily harm; or

13 (ii) Causes substantial bodily harm, and the person has previously  
14 engaged in a pattern or practice either of (A) assaulting the child  
15 which has resulted in bodily harm that is greater than transient  
16 physical pain or minor temporary marks, or (B) causing the child  
17 physical pain or agony that is equivalent to that produced by torture.

1 (2) Assault of a child in the first degree is a class A felony.

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